

November 30, 2016

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on November 30, 2016, 10:00 a.m. Present were Commissioners Christmann and Kalk. Chairman Fedorchak participated by telephone.

Minutes

Mr. Christmann: I move the minutes of November 2, 8, 18, 2016 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-823  
Meadowlark Midstream Company, LLC  
10-inch Crude Oil Pipeline –  
Divide & Burke Cnty  
Siting Application

Mr. Christmann: I move the Commission amend the contract for inspection services with Keitu Engineers & Consultants, Inc., in Meadowlark Midstream Company, LLC, 10-Inch Crude Oil Pipeline – Divide & Burke Cnty, Siting Application, Case No. PU-14-823.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-114  
Sacagawea Pipeline Company, LLC  
16-inch Crude Oil Pipeline –  
McKenzie & Mountrail  
Siting Application

Mr. Christmann: I move the Commission approve Sacagawea Pipeline Company, LLC's November 2, 2016, Tree and Shrub Replacement Plan, Sacagawea Pipeline Company, LLC, 16-inch Crude Oil Pipeline – McKenzie & Mountrail, Siting Application, Case No. PU-15-114 and the other two cases captioned above numbered PU-15-670 and PU-15-744.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-670  
Sacagawea Pipeline Company, LLC  
12-inch Crude Oil Pipeline –  
Mountrail County  
Siting Application

Case No. PU-15-744  
Sacagawea Pipeline Company, LLC  
16-inch Crude Oil Pipeline –  
McKenzie County  
Siting Application

Case No. PU-16-688  
Paradigm Midstream Services  
ND/Sacagawea Pipeline  
Crude Oil Pipeline –  
McKenzie & Mountrail Counties  
Public Convenience & Necessity

Mr. Christmann: I move the Commission acknowledge the withdrawal of the application in Paradigm Midstream Services ND/Sacagawea Pipeline, Crude Oil Pipeline – McKenzie & Mountrail Counties, Public Convenience & Necessity, Case No. PU-16-688.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."



Case No. PU-16-688  
Paradigm Midstream Services  
ND/Sacagawea Pipeline  
Crude Oil Pipeline –  
McKenzie & Mountrail Counties  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue an application fee refund in the amount of \$10,000.00 in Paradigm Midstream Services ND/Sacagawea Pipeline Company, Crude Oil Pipeline – McKenzie & Mountrail Counties, Public Convenience & Necessity, Case No. PU-16-688.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-31  
Sequoia Energy US Inc. / Border  
Winds Energy, LLC  
Transfer of Site Certificate  
Siting Application

Mr. Christmann: I move the Commission execute an amendment to Contract Number PU-700-14-EE with Carlson McCain, Inc. for construction inspection services in Sequoia Energy US Inc. / Border Winds Energy, LLC, Transfer of Site Certificate, Siting Application, Case No. PU-14-31.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-105  
Sunflower Wind Project, LLC  
Wind Energy Conversion Facility -  
Stark & Morton  
Siting Application

Mr. Christmann: I move the Commission approve the tree and shrub replacement plan filed in Sunflower Wind Project, LLC, Wind Energy Conversion Facility – Stark & Morton, Siting Application, Case No. PU-14-105.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-14-829  
Basin Electric Power Cooperative  
Pioneer Generating Station Phase III  
Project  
Siting Application

Mr. Christmann: I move the Commission amend the contract for inspection services with ProSource Technologies, Inc., in Basin Electric Power Cooperative, Pioneer Generating Station Phase III Project, Siting Application, Case No. PU-14-829.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-538  
Montana-Dakota Utilities Co.,  
a Division of MDU  
115 kV Transmission Line –  
Dickey County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue an application fee refund in the amount of \$9,710.11 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 115 kV Transmission Line – Dickey County, Public Convenience & Necessity, Case No. PU-16-538.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-618  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Philip Porter - Kidder County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission adopt the Order on Certificate of Public Convenience and Necessity in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Phillip Porter – Kidder County, Public Convenience & Necessity, Case No. PU-16-618.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-16-625  
Otter Tail Power Company  
41.6 kV & 12.5 kV Rugby Project  
Public Convenience & Necessity

Mr. Christmann: I move the Commission issue an application fee refund in the amount of \$10,000.00 in Otter Tail Power Company, 41.6 kV & 12.5 kV Rugby Project, Public Convenience & Necessity, Case No. PU-16-625.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Coal Regulatory and AML Programs  
2016 OSM Evaluation Reports

Mr. Christmann: I move the Commission accept the federal Office of Surface Mining's 2016 Evaluation Reports for the Coal Regulatory and Abandoned Mine Lands Programs.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-16-659  
Coyote Creek Mining Company, L.L.C.  
Revision No. 1, Permit NACC-1301  
Approval

Mr. Christmann: I move the Commission approve Revision No. 1 to Surface Coal Mining Permit Number NACC-1301 held by Coyote Creek Mining Company, L.L.C. to delete all 84.24 acres from this permit and transfer all reclamation liabilities on this acreage to Permit Number NACC-1302 for the Coyote Creek Mine.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-16-665  
Falkirk Mining Company  
Revision No. 28 to Permit NAFK-9503  
Approval

Mr. Christmann: I move the Commission approve Revision No. 28 to Surface Coal Mining Permit No. NAFK-9503, held by the Falkirk Mining Company, to delete 200.6 acres from the permit that have not been affected by mining activities.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-15-166  
Phoenix Construction  
Damage Prevention Enforcement

Mr. Kalk: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in Public Service Commission, Phoenix Construction, Damage Prevention Enforcement, Case No. PU-15-166.

Mr. Christmann: I second the motion.

Roll Call: All voting "Aye."



Case No. GS-15-705  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Pipeline Safety Enforcement

Case No. GS-15-711  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Pipeline Safety Enforcement

Case No. PU-16-650  
Montana-Dakota Utilities Co.,  
a Division of MDU  
Transmission Facility Cost Recovery  
(2016)  
Rates

Case No. PU-16-666  
Montana-Dakota Utilities Co.,  
a Division of MDU  
2016 Electric Rate Increase  
Application

Case No. PU-16-666  
Montana-Dakota Utilities Co.,  
a Division of MDU  
2016 Electric Rate Increase  
Application

Case No. PU-16-671  
Antelope Hills Wind Pjct /  
West Branch Wind Pjct  
Transfer of Site Certificate  
Siting Application

Case No. PU-16-687  
Northern States Power Company  
Renewable Resource Cost Recovery  
(2017)  
Rates

Mr. Kalk: I move the Commission adopt the Order on Consent Agreement in Public Service Commission, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Pipeline Safety Enforcement, Case Nos. GS-15-705 and Case No. GS-15-711.

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission authorize an extension of the next adjustment, under the Transmission Facility Cost Recovery Rider (TCA) Rate 59 tariff, until implementation of final rates in the electric rate case (Case No. PU-16-666) of Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Transmission Facility Cost Recovery (2016), Rates, Case No. PU-16-650.

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission issue a Notice of Intervention Deadline, Public Input Sessions and Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2016 Electric Rate Increase, Application, Case No. PU-16-666.

Mr. Christmann: I second the motion.  
Roll Call: All voting "Aye."

Mr. Kalk: I move the Commission adopt the Order on Interim Rates in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2016 Electric Rate Increase, Application, Case No. PU-16-666.

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

WITHDRAWN

Mr. Kalk: I move the Commission suspend the tariff filing and issue a Notice of Opportunity for Hearing in Northern States Power Company's Renewable Resource Cost Recovery (2017), Rates, Case No. PU-16-687.

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

Case No. GS-14-216  
Plote Construction ND, LLC  
Damage Prevention Enforcement

Mr. Christmann: I move the Commission cancel the hearing currently scheduled for December 1, 2016 in Public Service Commission, Plote Construction ND, LLC, Damage Prevention Enforcement, Case No. GS-14-216.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Resignation - Accounting Manager

Mr. Christmann: I move the Commission accept the resignation of Joshua Gallion, Accounting Manager I, from position number 5004, effective December 31, 2016.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

New Hire - Director of Reclamation and  
Abandoned Mine Lands

Mr. Christmann: I move the Commission acknowledge the offer to and acceptance of Dean K. Moos to fill Position No. 5014, Director of Reclamation and Abandoned Mine Lands, effective December 1, 2016, under the terms specified in the November 15, 2016 written offer of employment.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:50 A.M.

  
Executive Secretary

  
JULIE FEDORCHAK, CHAIRMAN